

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NEW YORK

In Re:

CORSON MANUFACTURING COMPANY,

Debtor.

Bk. No.99-16855K
Chapter 7

DANIEL E. BRICK, Ch. 7 Trustee for
Corson Manufacturing Company,

Plaintiff,

v.

A.P. No. 01-1603K

PALLET PALLET, INC.,

Defendant.

APPLICATION FOR ENTRY OF DEFAULT JUDGMENT

Plaintiff, Daniel E. Brick, Chapter 7 Trustee for Corson Manufacturing Company, by and through his attorneys, Gross, Shuman, Brizdle & Gilfillan, P.C., hereby applies for the entry of default of Pallet Pallet, Inc. (the "Defendant"), and states as follows:

1. On January 8, 2002, a copy of the Summons and Complaint was served on the Defendant and the Certificate of Service of Elizabeth M. Scillace was filed with this Court on or about January 25, 2002.

2. The Defendant has failed to plead or otherwise defend in this action and the time to plead or otherwise defend this action expired on February 7, 2002. The Defendant has also failed to appear in this action and the time to appear has expired.

3. The Defendant is not an infant or incompetent person.

4. The Debtor is not the Defendant.

5. It is requested that the Clerk of this Court enter default of the Defendant pursuant to Bankruptcy Rule 7055 and Rule 55(a) of the Federal Rules of Civil Procedure.

6. I, Janet G. Burhyte, as attorney for the Plaintiff, declare under penalty of perjury that the foregoing is true and correct.

Dated: Buffalo, New York
September 22, 2003

Respectfully submitted,

**GROSS, SHUMAN, BRIZDLE &
GILFILLAN, P.C.**

By: 

Janet G. Burhyte, Esq.

Attorneys for Plaintiff

465 Main Street, Suite 600
Buffalo, New York 14203
(716) 854-4300

SEP 24

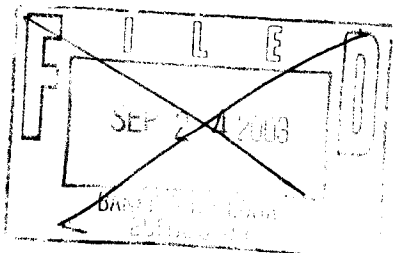
CLERK'S CERTIFICATE OF DEFAULT

The default of the Defendant, Pallet Pallet, Inc., is hereby entered according to law.

Dated: Buffalo, New York
September __, 2003

PAUL R. WARREN, CLERK

#123466.1



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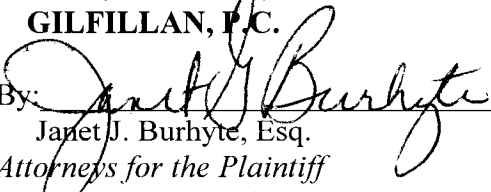
**REQUEST FOR JUDGMENT BY DEFAULT
AND AFFIDAVIT OF AMOUNT DUE**

TO THE CLERK:

Pursuant to the foregoing Application for Entry of Default Judgment, Defendant having failed to appear and Defendant not being an infant or incompetent person, and the time for appearance having expired with Defendant's Fact of Default having been entered as certified above by the Clerk, you are requested to enter a Default Judgment in favor of the Plaintiff, and against the Defendant, in the principal sum of \$19,030.02, plus interest in the sum of \$773.15, based on the rate of 2.24 percent per annum from January 8, 2002, the commencement of this action, through September 22, 2003, the date of the foregoing Application for Default Judgment (or 662 days), and costs in the sum of \$150.00, making a total amount due of \$19,953.17.

Dated: Buffalo, New York
September 22, 2003

**GROSS, SHUMAN, BRIZDLE &
GILFILLAN, P.C.**

By: 
Janet J. Burhyte, Esq.
Attorneys for the Plaintiff
465 Main Street, Suite 600
Buffalo, New York 14203
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